February 22, 2022

To the members of the Energy and Technology Committee:

I wish to express my support for the spirit of HB 5116, An Act Requiring the Creation of Utility Company Tree Planting Funds. As society continues to modernize and as we continue to add the equipment, infrastructure and resources we find necessary to live our modern lives, we should not forget the basic importance of what it is that trees and other aspects of the natural world contribute to our cities and towns.

Efforts to maintain these needed pieces of the natural world should be broad-based and involve commitments from both the public and private sectors, of the sort as would be established in this bill. Growing the working relationship between municipalities and the electrical utilities could yield many positive results, as they work together to keep our cities and towns both livable, especially in the face of climate change, and thriving, in terms of being quality places to live, work and play.

Because of all that, my first comment regarding this bill is that it needs to state more clearly what is intended as to outcomes, should this bill pass and become law. Is it just a numbers game, in which some percentage of the trees removed by the utility are to be replaced by trees chosen and planted at the utility's discretion? If that is so, then I am concerned that this bill will be not the major step forward that it has the potential to be.

To my mind, the major purpose of this bill should be to maintain and even increase the urban forest in our cities and towns, both in terms of the quality of that urban forest and its extent. This bill is incomplete if it simply encourages the removal of the large trees in our urban forests – the oaks, maples, elms and sycamores that are the workhorses of our urban canopy – and replaces them with smaller ornamental trees.

I have nothing against flowering cherries, dogwoods, crabapples or shadblows. They should be a part of the vegetative landscape of our streets and parks, especially those smaller stature trees that are native, but to a degree. The trees that produce the most benefits, that provide the greatest extent of ecosystem services, are those with the large, deep, healthy crowns. These trees take years to mature. As their crowns spread, so do their roots, which spread deep into the soil and cause the tree to provide essential services below ground as well as above. These are also the trees that become the social and environmental fixtures in our communities. It is even better if these trees are native trees and so provide benefits for biodiversity and wildlife that are similar to those they provide for people and human society.

David Nowak is a recently retired researcher with the US Forest Service and one of the main architects of how we currently view our urban forests. In explaining where the ecosystem services provided by trees derive from, Dr. Nowak states, "With regards to most services, the most important tree attribute is leaf area."[1] Leaf area, of course, is highly related to canopy volume – the crown of the tree's width and depth. To connect this to the current legislation, among the intended outcomes of this legislation should be the planting of appropriately-place large trees with the goal of reaping the greatest amount of ecosystem service benefits provided by these trees. The ecosystem service benefits should be

[1] Nowak, David J. 2017. Assessing the benefits and economic values of trees. From the Routledge Handbook of Urban Forestry, Chapter 11, pages 152-163.

considered alongside of all of the aesthetic, cultural and spiritual benefits that also come from having these trees in our communities.

My concern, then, is with the mechanisms for implementing the program this bill would establish. As currently worded, this bill calls on the utilities to "determine the application procedures for awarding the moneys from the funds". Presumably, this gives the utilities extensive influence over where and how the funds are to be used. Potentially, this could include the types of trees to be planted as well as their location. The bill then goes on to add some additional restrictions as to how these funds could be used, including requiring the funds to be distributed within one year after the pruning or tree removals have taken place, that trees be planted on public property and that the trees not be planted where trees were previously removed.

I would recommend instead that the bill include some recognition of the importance of each municipality being able to establish its own individual priorities for tree planting. The utilities should be listening to and working with each municipality as funding is being awarded. I would further recommend that the period for determining awards be extended, perhaps up to 3 years, to give each municipality the opportunity to fully assess the needs it will seek to address with this funding. I would also recommend that there be the potential for this funding to be used on private property, such as on the grounds of institutions, commercial enterprises, or other similar entities. This would be particularly helpful if it would allow this funding to be used for projects that can become models for the right way to plant trees, in which the ecosystem- and infrastructure-based goals behind the tree planting project are both well-defined and well-implemented. After all, most ecosystem service benefits do not stop at the property line.

Finally, I would lift the restriction on planting trees in places where trees have been removed by the utility. There can certainly be value in replacing removed trees with "the right tree in the right place". While I stand by my concern that this bill not become a tool primarily for replacing large trees with small trees, a certain amount of planting of trees under or near to the powerlines that will be of smaller stature when mature can help soften the blow for a neighborhood after the extensive removal of a large number of larger, mature trees.

I also agree with those who suggest that perhaps some of this funding can be used for stump-grinding, at the request of the municipality. Several municipalities have well-developed tree planting programs. In those communities, it may be better all-round to use the funding in a way that provides greater access to prepared planting sites, by grinding out the stumps that remain following utility tree removals, and then allowing the local tree planting program to be responsible for the actual planting of the trees.

The amount of funding per community is also somewhat low, particularly if the community looks to use this funding to initiate a larger scale approach to improving and extending the local urban tree canopy cover. Indeed, the multi-year coalescing of funding for a community might allow for larger or more innovative approaches to be developed, to provide for more sustainable, long-term accomplishments.

With regards,

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